MR. M. SIVATHANU PILLAI: May I know whether any official reporter is taking down the Tamil speech.

PRESIDENT: Yes.

MR. M. SIVATHANU PILLAI: But I see none of the reporters writing.

PRESIDENT: The reporter behind the member is taking down his speech.

MR. D. FRANCIS: மழையில்லாததினாலும் பேச்சிப்பாறை அணையில் ஜலம் இல்லாததினாலும், ஆரேக்கணக்கான ஏக்கர் நிலங்கள் கிருஷி செய்யாமலே, 4, 5 வருஷங்களாக தரிசாகக்கிடக்கின்றன. ஆனால் தரிசு நிலங்களுக்கு கரம் கொடுத்துத்தீரவேண்டுமென்கிற சட்டமிருப்பதால் வருஷாவருஷம் கிருஷிக்காரனிடமிருந்து கரம்வசூல் பண்ணப்படுகிறது. சட்டம் இப்படி விரோதமாயிருந்தபோதிலும் தரிசுநிலங்களுக்கு கரம் வசூல் பண்ணுதல் மனசாட்சிக்கு விரோதமாயிருக்கிறது. மழை பெய்யவில்லை, பேச்சிப்பாறை அணையை பெருக்கவில்லை, கானல்களில் ஜலம் விட்டுக் கொடுக்கவில்லை. அதனால் கிருஷி செய்யவுமில்லை. இப்படியிருக்க எந்த நியாயத்தைக் கொண்டு கரம் வாங்கலாம்? மழை ஜலம் கொண்டு கிருஷி செய்யப்படுகிற விளவங்கோட்டு தாலூகாவிலும் தரிசு நிலங்களுக்கு கரம் வசூல்பண்ணப்படுகிறது எவ்வளவு கஷ்டம். கிருஷிக்காரனுக்கு நிலத்தில் விடைக்கிற வருஷடியில் ஒரு சிறு பாகம் சர்க்காருக்கு கிஸ்தியாக கொடுக்கவேண்டியது. கிருஷி செய்யாத நிலத்துக்கு அவன் எங்கிருந்து கரம் தரவேண்டும்? தண்ணீர்கொடுக்கிறதற்கு கரம், தரைக்கு கரம், நிலம் திருத்தப்போது வெட்டி மூடித்த தெங்கு, பளி, மாவு பலா முதலிய மரங்களுக்குள்ள கரம், பயிர் செய்யாமல் தரிசாய் கிடக்கிற நிலங்களுக்கும் கரம் வசூல் பண்ணப்படுகிறது. இந்த ஆண்டு கன்னிப்பூவுக்கும் தரிசு நிலங்களுக்குக் கரம் கொடுக்காததினால் நிலங்களை லேலத்தில் விற்கும்படியாகவுள்ள நடபடிகள் நடத்தப்படுகின்றன, அதனால் ராஜ்ஜியத்தில் ஒரு அவசியமான சட்டம் இல்லாதிருக்குமாகில் இதைத்தடுக்க ஒரு சட்டம் உடனடி பாஸாக்கி நிலங்களை விற்காமல் வேண்டிய ஏற்பாடுகளை செய்யவேண்டுமென்று பிரஸ்தாபித்துக் கொண்டு இந்தப் பிரேயத்தை பலமாய் அனுகூலிக்கிறேன்.

MR. P. NARAYANA KURUP: Sir, on the principle of no yield and no tax I also support this motion. I have a very great complaint against my learned friends who have been supporting this motion, as they have been very partial towards northern Travancore. I would have been very glad if they were agreeable to have the operation of the principle of this adjournment motion extended to northern Travancore as well. Taxation is generally based on the yield of the land. If therefore, the land is fallow, and there is no yield for the year, there is no justification in realising tax for the year from that land. This principle should be applied to all parts of Travancore.

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MR. M. RAMACHANDRA RAO (*Land Revenue and Income Tax Commissioner*): Sir, the resolution before this House when analysed consists of two parts; one is about the remissions to be granted as a special case and second the revision of the remission rules. I shall deal with these two subjects. The resolution refers to Nanjinad. As long as the price of paddy was high, and there were seasonal rains, and the Kodayar channel supplied water, the Nanjinad ryots were safe and had not complained. But during the past seven years, Kodayar channel and seasonal rains disappointed the cultivators in those areas; the price of paddy also went down so much so that the Nanjinad ryot is hit both ways. Therefore, there have been complaints. A perusal of the proceedings of the Legislative Assembly shows that the average Nanjinad tenant had not complained in this manner some eight years ago. But during the last seven or eight years complaints have been raised. I may bring to the notice of the House that from the year 1110, apart from the special remission which the Government had given to the whole State, seasonal remissions had been given to the Nanjinad ryots. The Nanjinad ryots have had more concessions than those sanctioned for those in the other parts of the State. So it is clear that Government have been alive to the fact that not only Nanjinad ryots but the ryots of the whole State who have been hit by the general depression needed remission. In the year 1112 when the Dewan toured to Cape Comorin a deputation waited on him and pointed out the difficulties which the ryots experienced. The first was the high tax prevailing in the area. The conversion of the *marakal* into *para* was another difficulty. Then again there was the water problem. The Dewan replied to the deputation that the matter would be favourably considered in the next resettlement. Subsequently, it was decided that the resettlement may be postponed. The Government however thought that the problems confronting the ryots of Nanjinad required urgent attention as the existing high tax could not be reduced till a resettlement. A percentage reduction is alone possible till the next resettlement. The question of the *marakal* and *para* was also taken up and the Land Revenue Commissioner had been deputed to study it and make a report. I may say that the Land Revenue Commissioner has submitted the report and it is now under consideration by the Government. I expect Government will be able to pass final orders on that report before the end of this month and I hope the decision will be favourable to the Nanjinad ryots. The concessions which will result from this report plus the special concession which the Government have been allowing every year to the whole State will certainly give immense relief to the ryots of Nanjinad.

There are two other difficulties referred to viz., the remission on tharisu lands and the remission of water cess on lands which could not be cultivated for want of water. The existing remission rules provide for tharisu remission only in some pakuthies of the Tovala and Agastiswaram taluks and that too in certain specified survey numbers of some specified pakuthies therein. The Government have been granting tharisu remission for other areas in Nanjinad as a special case for the past two or three years and I have called for a statement of lands left

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as tharisu in 1114. As soon as the statement is received, I shall do what I can in the matter. I can assure the House that the Government will act sympathetically as they have always done. Regarding water cess on lands not supplied with water, I am studying the question and I shall take it up with Government shortly.

Coming to the question of revision of remission rules, as regards all tharisu lands it is a very difficult question; while lands in South Travancore are left fallow for want of water, some lands in North Travancore suffer from too much water. The question has to be tackled very carefully and I shall study it to take it up with Government as soon as possible.

Before the month is out, you can expect favourable orders from Government regarding the *marakaal-para* report; and I hope that will satisfy the average Nanjinad ryot.

MR. M. SIVATHANU PILLAI: Is it not a fact that orders on that matter will be passed even before the end of the month?

MR. M. RAMACHANDRA RAO: I do not think it will be possible, because I got the report only the day before yesterday.

In regard to the second point, so far as the ryots of Nanjinad and Shencotta are concerned—I cannot forget Mr. Karayalar—now that resettlement has been postponed, the average ryot has to rest content with special remissions granted year after year.

MR. M. SIVATHANU PILLAI: In regard to the *marakal-para* question, may I ask whether it is a concession granted to the ryots or only rectification of a mistake on the part of the Government?

MR. M. RAMACHANDRA RAO: I take it that it is a concession.

Mr. Kurup was arguing the principle of "no yield, no tax". Sir, that is not the correct principle in taxation. The yield during the course of several years is calculated and the average is taken: it is such average that forms the basis of assessment. We take into account the lean year as well as the fat year.

MR. P. NARAYANA KURUP: Is not the tax a proportion of the yield?

MR. M. RAMACHANDRA RAO: Only of the average yield.

MR. KOTTALIL P. ABRAHAM: Actual yield, or prospective yield?

MR. M. RAMACHANDRA RAO: Average actual yield.

MR. T. C. KESAVA PILLAI: May I know from the Land Revenue Commissioner whether he would recommend remission for the Kumbhom crop of 1113 so far as the tharisu lands of the Vilavankod and Kalkulam taluks are concerned?

MR M. RAMACHANDRA RAO: I am coming to the question of tharisu lands.

MR. C. JEBAMONY NADAR: According to the Land Revenue Commissioner, is it the principle that even when there is no yield tax should be paid?

MR. M. RAMACHANDRA RAO: If there is no yield for many consecutive years, the position would be different.

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[Mr. M. Ramachandra Rao.]

So far as tharisu lands are concerned, the remission rules extend only to a few pakuthies of the Tovala and Agastisvaram taluks. Now the question is raised whether the rules should be extended to all lands which have been declared as tharisu. From 1110 onwards, Government have been granting special remissions in respect of all lands.

MR. K. NARAYANAPERUMAL NADAR: Has the Land Revenue Commissioner recommended to Government that the remission rules should be modified?

MR. M. RAMACHANDRA RAO: No, Sir. In regard to the tharisu lands also, for the present, the ryots should be satisfied with the special concession granted by the Government as and when found necessary.

In regard to water cess, the question has been raised whether it can be realised from lands which have not been watered. The question will be considered. That is all I am able to say at present.

MR. M. SIVATHANU PILLAI: With regard to the lands which lay fallow during the last Kanni crop, may I know what the Government propose to do?

MR. M. RAMACHANDRA RAO: The matter will be brought to the notice of the Government who will grant special concession if considered necessary.

MR. M. SIVATHANU PILLAI: Has the matter been reported to Government?

MR. M. RAMACAHANDRA RAO: Not yet Sir.

I hope the House will realise that the Government have been very sympathetic towards the landholders. It is not fair to the Government to say that they have been taking the blood out of the ryot.

Sir, in regard to the remission rules, I submit it is a very important question. The rules have to cover the whole State. As the House is aware, if in one part of the State the crop fails for want of water, in another part it fails due to excess of water. The rules have therefore to be framed very carefully. I may inform the House that so far, I have been able to tour only six taluks; within the next two months I hope to travel through some more. Then, I shall be in a position to arrive at some conclusion as to the revision of the remission rules, and to make suitable recommendations on the matter.

MR. M. SIVATHANU PILLAI: Will the Land Revenue Commissioner give us an idea of the number of cases, reported to Government, of lands which were lying fallow during the last Kanni crop?

MR. M. RAMACHANDRA RAO: The reports have been called for from the Peishkars.

PRESIDENT: Before the mover begins his reply, I might mention that Government have before them the report of Mr. George; and, without any loss of time, orders will be passed on that report. The exact scope of the orders, it is impossible to indicate just now; as the Land Revenue Commissioner has indicated, 'favourable orders' will be

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passed. I might say that even the extent of the favour seems to have been very intelligently anticipated by the mover of the motion. I do not wish to say more now.

MR. M. SIVATHANU PILLAI: Sir, there is only one matter on which I am disappointed a bit. I heard the Land Revenue Commissioner to say that the reports from the Taluk Cutcherries, with respect to the extent of the lands which were lying fallow during the last Kanni crop, have not yet been called for.

MR. M. RAMACHANDRA RAO: I beg to correct him, Sir; the reports have been called for; only I have not received them yet.

MR. M. SIVATHANU PILLAI: Sir, I can fully realise the difficulty of the taluk authorities in preparing those reports, especially in regard to the lands within the commanded area; because, the rules do not provide for remission being granted for such lands so as to make it incumbent on them to inspect them immediately and report. I would therefore request the Land Revenue Commissioner to call for a list of the lands in respect of which applications have been made for fallow remission during Kanni last. Anyhow, Sir, I hope the Land Revenue Commissioner will expedite his report to Government, and the Government will pass favourable orders without further delay. Lastly, Sir, I heard with great joy the assuring words of the Land Revenue Commissioner and those by the Dewan in respect of Mr. George's report. Before I beg leave of the House to withdraw my motion, I may be permitted to qualify the word 'favourable' in the Dewan's announcement as 'very favourable', so far as the Government orders on Mr. George's report are concerned.

I have great pleasure to withdraw the motion on such assurance.

MR. K. NARAYANAPERUMAL NADAR: With all emphasis I can command, I oppose the withdrawal. I demand a poll.

PRESIDENT: There are two or three stages before a poll can be demanded. The honourable member is perfectly within his rights in opposing leave being granted for the withdrawal of the motion. The next stage is to demand for the question, of such leave being granted, being put to vote. It is only after the vote is over that a poll might be demanded.

The question that Mr. Sivathanu Pillai be granted leave to withdraw the motion was put to vote and carried.

MR. K NARAYANAPERUMAL NADAR: I demand a poll.

A poll was taken and the House divided as follows:—

AYES—41.

1.	Mr. Kottalil P. Abraham	4.	Mr. S. Chattanatha Karayalar
2.	,, P. C. Adichan	5.	,, M. L. D'Cruz
3.	Sahib Bahadur V. Chandamiah	6.	,, E. E. Pandarathil

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7. Mr. D. Francis
8. ,, M. Govinda Pillai
9. Dr. C. R. Harler
10. Mr. M. L. Janardana Pillai
11. ,, N. John Joseph
12. ,, M. P. Joseph
13. ,, K. C. Karunakaran
14. ,, T. C. Kesava Pillai
15. ,, T. T. Kesavan Sastri
16. ,, K. P. Kochukora Tharakan
17. ,, Kaviyoor K. K. Kochukunju
18. ,, S. Krishna Aiyar
19. ,, Puthupalli S. Krishna Pillai
20. ,, Thariathu Kunji-thommen
21. ,, K. G. Kunjukrishna Pillai
22. Vaidyasastra Kusala Mrs. Lukose
23. Mr. P. V. Mathai Chemparathy
24. ,, S. Narayana Pillai
25. Mr. V. Narayana Pillai
26. ,, K. R. Narayanan
27. ,, R. Narayanan Namboodiri
28. ,, P. G. Narayanan Unnithan
29. ,, M. K. Nilakanta Aiyar
30. ,, Kainikkara M. Padmanabha Pillai
31. ,, J. E. A. Pereira
32. ,, P. Parameswaran Pillai
33. ,, M. Ramachandra Rao
34. ,, N. Ramakrishna Pillai
35. ,, Codiveetil C. Ramankunju
36. ,, P. Sivarama Pillai
37. ,, M. Sivathanu Pillai
38. ,, G. B. E. Truscott
39. ,, E. P. Varghese
40. ,, Puliyoor T. P. Velayudhan Pillai
41. ,, N. Velu Achary

NOES—1.

Mr. K. Narayanaperumal Nadar—1.

NEUTRALS—2.

1. Mr. C. Jebamony Nadar. | 2. Mr. P. Narayana Kurup.

The adjournment motion was, by leave, withdrawn.

PRESIDENT: The House will now adjourn and meet again at 11 O' clock tomorrow.

The House adjourned at 3-30 P. M.

A. GUNAMONY,
Secretary to the Sri Mulam Assembly.

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